



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Schreiber et al.

Serial No.: 08/922,240

Filed: August 27, 1997

For: Gene Therapy by Cell Specific Targeting

Atty. Docket No: APBI-P01-007

Art Unit: 1632

Examiner: Ram R. Shukla

#33/F  
Tuta  
4-13-03  
RECEIVED  
APR 04 2003  
TECH CENTER 1600/2900

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents Washington, D.C. 20231 on the date indicated below:

March 27, 2003

Date of Signature  
and of Mail Deposit

*Maura A. Gallagher*  
Maura A. Gallagher

Commissioner for Patents  
Washington, DC 20231

**SUBMISSION OF REQUEST FOR CONTINUED EXAMINATION**  
**UNDER 37 CFR 1.114**

Sir:

This Submission of Request for Continued Examination is in response to the Office Action mailed March 27, 2002, in connection with the above application. Applicants have submitted a response and an amendment on September 27, 2002. A Notice of Appeal was filed on September 27, 2002, and was received by OIPE on October 4, 2002. Thus the Appeal Brief was due on December 4, 2002. The time period for response has been extended to April 4, 2003, by the accompanying petition for four months extension.

For the convenience of the Examiner, all claims being examined, whether or not amended, are presented below. Please amend the claims as follows:



RCE / \$ 1600 #31

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Address to: Commissioner for Patents Box RCE Washington, DC 20231	Application Number	08/922240
	Filing Date	August 27, 1997
	First Named Inventor	Stuart L. Schreiber
	Group Art Unit	1632
	Examiner Name	Ram R. Shukla
	Attorney Docket No.	APBI-P01-007

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on September 27, 2002  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17 (e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-1945

i. ☒ RCE fee required under 37 CFR 1.17(e) **04/03/2003 AMONDAF1 00000120 181945 08922240**

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) **01 FC:2801 375.00 CH**

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Matthew P. Vincent	Registration No. (Attorney/Agent)	36,709
Signature	<i>Patricia Panabaker for</i> 32,227 MP Vincent	Date	March 27, 2003

9126240

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box RCE, Commissioner for Patents, Washington, DC 20231, on the date shown below.	
Dated: <u>3/27/03</u>	Signature: <u>Maura A. Gallagher</u> (Maura Gallagher)